

IC 23-14-52

Chapter 52. Conditions Applying to the Sale of a Cemetery

IC 23-14-52-1

Application and exceptions to conditions

23-14-52-1 Sec. 1. (a) Except as provided in subsection (b), the sale of:

- (1) a cemetery;
- (2) any part of a cemetery; or
- (3) any personal property related to a cemetery;

by a cemetery owner to a purchaser is subject to the conditions set forth in section 2 of this chapter.

(b) The sale of burial rights, services, or merchandise to an individual for the interment of the individual or members of the individual's family is not subject to the conditions set forth in section 2 of this chapter.

As added by P.L.52-1997, SEC.26.

IC 23-14-52-2

Liability and duties of purchaser

23-14-52-2 Sec. 2. The following conditions apply to a sale referred to in section 1(a) of this chapter:

- (1) The purchaser is liable for any shortages existing before or after the sale in the perpetual care fund required by IC 23-14-48 or in an escrow fund or trust account required by IC 23-14-49-1.
- (2) The purchaser shall perform:
 - (A) all obligations imposed on cemetery owners under this article;
 - (B) all obligations imposed on the cemetery owner under contracts made by the selling cemetery owner or any prior cemetery owner relating to:
 - (i) burial or interment rights; or
 - (ii) the sale of the personal property or services described in IC 23-14-49-1; and
 - (C) any other related obligation.

As added by P.L.52-1997, SEC.26.